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5	IN THE UNITED STATES DISTRICT COURT
6	FOR THE NORTHERN DISTRICT OF CALIFORNIA
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9	RUFINO ACEVEDO,No. C 09-3692 WHA (PR)
10	Petitioner, ORDER OF TRANSFER
11	VS.
12	JAMES YATES, Warden,
13	Respondent.
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15	This is a habeas case brought pro se by a state prisoner to challenge denial of parole.
16	Petitioner was convicted in Santa Clara County, which is in this district, and he is incarcerated
17	at Pleasant Valley State Prison, which is in the Eastern District.
18	Because petitioner's claim is about the denial of parole, it is a challenge to the execution
19 20	of his sentence, rather than the validity of it. Venue for habeas cases involving state prisoners is proper in either the district of confinement on the district of conviction $28 \text{ US} = 2241(4)$.
20 21	proper in either the district of confinement or the district of conviction, 28 U.S.C. 2241(d); however, the district of confinement is the preferable forum to review the execution of a
21	sentence. Habeas L.R. 2254-3(a); <i>Dunne v. Henman</i> , 875 F.2d 244, 249 (9th Cir. 1989).
22	Pursuant to 28 U.S.C. 1404(a) and Habeas L.R. 2254-3(b), and in the interests of justice,
23 24	this petition is TRANSFERRED to the United States District Court for the Eastern District of
25	California.
26	IT IS SO ORDERED
27	Dated: August <u>19</u> , 2009.
28	WILLIAM ALSUP UNITED STATES DISTRICT JUDGE
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